

## NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Madeleine Clayton 02/22/2001  
Departmental Forms Clearance Officer  
Office of the Chief Information Officer  
14th and Constitution Ave. NW.  
Room 6086  
Washington, DC 20230

In accordance with the Paperwork Reduction Act, OMB has taken the following action on your request for approval of the reinstatement of an information collection received on 11/02/2000.

TITLE: Foreign Fishing Vessels Operating in Internal Waters

AGENCY FORM NUMBER(S): None

ACTION : APPROVED

OMB NO.: 0648-0329

EXPIRATION DATE: 02/29/2004

BURDEN	RESPONSES	BURDEN HOURS	BURDEN COSTS
Previous	0	0	0
New	72	36	0
Difference	72	36	0
Program Change		36	0
Adjustment		0	0

TERMS OF CLEARANCE: None

NOTE: The agency is required to display the OMB control number and inform respondents of its legal significance (see 5 CFR 1320.5(b)).

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OMB Authorizing Official Title

Donald R. Arbuckle Deputy Administrator, Office of  
Information and Regulatory Affairs

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# PAPERWORK REDUCTION ACT SUBMISSION

**Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.**

1. Agency/Subagency originating request	2. OMB control number <span style="float: right;">b. <input type="checkbox"/> None</span> a. _____ - _____
3. Type of information collection ( <i>check one</i> ) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested ( <i>check one</i> ) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated  5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No  6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
7. Title	
8. Agency form number(s) ( <i>if applicable</i> )	
9. Keywords	
10. Abstract	
11. Affected public ( <i>Mark primary with "P" and all others that apply with "x"</i> ) a. <input type="checkbox"/> Individuals or households d. <input type="checkbox"/> Farms b. <input type="checkbox"/> Business or other for-profit e. <input type="checkbox"/> Federal Government c. <input type="checkbox"/> Not-for-profit institutions f. <input type="checkbox"/> State, Local or Tribal Government	12. Obligation to respond ( <i>check one</i> ) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden ( <i>in thousands of dollars</i> ) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection ( <i>Mark primary with "P" and all others that apply with "X"</i> ) a. <input type="checkbox"/> Application for benefits e. <input type="checkbox"/> Program planning or management b. <input type="checkbox"/> Program evaluation f. <input type="checkbox"/> Research c. <input type="checkbox"/> General purpose statistics g. <input type="checkbox"/> Regulatory or compliance d. <input type="checkbox"/> Audit	16. Frequency of recordkeeping or reporting ( <i>check all that apply</i> ) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission)  Name: _____ Phone: _____

## 19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

**NOTE:** The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
  - (i) Why the information is being collected;
  - (ii) Use of information;
  - (iii) Burden estimate;
  - (iv) Nature of response (voluntary, required for a benefit, mandatory);
  - (v) Nature and extent of confidentiality; and
  - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator or head of MB staff for L.O.s, or of the Director of a Program or Staff Office)	
Signature	Date
Signature of NOAA Clearance Officer	
Signature	Date

## **SUPPORTING STATEMENT FOR 0648-0329**

### **Section A. -- Justification:**

1. This information collection is necessary to comply with the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), 16 U.S.C. 1801 et seq., which, at section 306(c)(1)(C), requires foreign fishing vessels operating in internal waters to report the tonnage and location of fish received from vessels of the United States. Regulatory requirements related to this information collection are located at 50 CFR 600.508(f).

2. NMFS uses the information from this collection to monitor receipts of fish for conservation and management purposes. Reports require vessel identification information; date of receipt of fish; amount of fish received, by species; and the location where the fish received were harvested. Specific reporting requirements, such as timing and method of submission of reports, are stipulated by the NMFS Regional Administrator based on the data collection and fishery monitoring systems in place in the Region at the time the internal waters fishing operation takes place. Specifically, NMFS will use the information to properly allocate the reported receipts to the area(s) from which the fish were harvested, and to ensure that all receipts are accounted for in monitoring quotas and for resource assessment purposes. Receipts are required to be reported by species in order to attribute the receipts to the appropriate fishery and stock of fish. If quotas exist for the species received, the record of receipts will be used to monitor the quotas. All reports of receipts will be used for stock assessment and statistical reporting purposes.

3. This collection does not require the use of automated or electronic technology, nor does it preclude the use of such technology. Because of differences in existing NMFS information collection systems in different parts of the country, the specifics of the timing and method of transmission of reports for collection of this information will be determined by the appropriate Regional Administrator at the time of application by the foreign fishing vessel. It is intended that the most expeditious and least burdensome reporting method available will be employed.

4. The Congress provided that the information described above be collected by the NMFS because there was previously no mechanism in place to reliably acquire the information. Foreign fishing vessels in internal waters are subject to conditions arranged with the Governor(s) of the involved state(s). Such arrangements did not necessarily involve reporting data on receipts of fish. Further, there is no requirement that the involved state(s) provide the data in question to the NMFS. Therefore, the data had previously either never been reported, or had been reported in a timeframe that was not useful for fisheries management.

5. This collection will not have a significant impact on small businesses, organizations or governmental entities.

6. As noted, this is a statutorily required collection. Without the collection of this information, the NMFS would not be in compliance with the law, and would not have the data necessary to properly

account for removals of fish transferred to foreign fishing vessels in internal waters. This would compromise stock assessment, quota management, and general statistical reporting of fishery resources.

7. This collection requires reports more frequently than quarterly because quarterly reports are not timely enough to allow monitoring of quotas and may not be adequate for collection of information necessary for stock assessment purposes.

8. A notice was published in the Federal Register seeking comments on renewal of this information collection. No comments have been received.

9. There is no payment or gift to respondents.

10. Data submitted based on this information collection will be accorded confidentiality pursuant to 50 CFR Part 600, Subpart E.

11. No questions of a sensitive nature are included in this information collection.

12. We are estimating an annual burden of 36 hours for this collection. This is unchanged from the previously approved burden. It is estimated that 6 foreign fishing vessels per year will engage in internal waters operations. Each vessel is estimated to fish for 12 weeks per year. Weekly reports are estimated to require 30 minutes each to fill out and submit. Therefore, the annual reporting burden for submitting reports, per vessel, is estimated to be: .5 hr/week for 12 weeks = 6.0 hours. The total annual reporting burden for submitting reports, for all vessels, is estimated to be: 6.0 hr/vessel x 6 vessels = 36 hours. Most, if not all of the information collected is expected to be available and recorded by the foreign fishing vessel as a normal part of conducting business. There are no recordkeeping requirements associated with this collection.

13. There are no capital or start-up costs associated with this collection. All foreign fishing vessels involved will already have the means to communicate the required information to the appropriate NMFS Regional Administrator as a component part of the vessel's communications equipment. The annual costs associated with providing the required information have probably been previously overstated at \$420.00. The weekly cost for a vessel to submit a fax or E-Mail report would not be expected to exceed a couple dollars. On an annualized basis, such costs could be estimated as follows: 6 vessels x 12 weekly reports at \$2.00 per weekly report = \$144.00 per year.

14. The costs to the Federal Government associated with this collection are expected to be negligible. Other than providing copies of specific reporting requirements upon request, and copying and processing the data received, there are no expenditures required. No capital equipment would be required; systems already exist for data processing and record storage.

15. Not applicable.

16. Not applicable.

17. Not applicable.

18. Not applicable.